

# Exhibit D

IN THE UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

IN RE WESTINGHOUSE ELECTRIC  
COMPANY, LLC, et al.

Debtor

FLUOR ENTERPRISES, INC.,

Plaintiff,

v.

W WIND DOWN CO LLC,

Defendant.

Case No.

17-10751EW

Chapter 11

Adv. Proc. No.

18-01635 (MEW)

VIDEOTAPED DEPOSITION OF COLLEEN GRYGIER

April 30, 2019

Bellevue, Washington

Reported by:

Connie Recob, CCR, RMR, CRR

CCR No. 2631

7 (Pages 22 to 25)

<p style="text-align: right;">Page 22</p> <p>1 Q. Have you heard anything about the south 2 Texas project? 3 A. No. 4 MR. MURA: Let me jump in for a second here 5 and just object to any questions along this line. If the 6 witness can answer them without disclosing conversations 7 that were with counsel. I'm assuming that's what you're 8 asking. But Westinghouse would certainly object to 9 reviewing any conversations that she had with other 10 lawyers or with her client. 11 BY MS. BAUM: 12 Q. What was your role with respect to the -- 13 how would you describe your role with respect to these 14 particular contracts, the Fluor contracts with respect 15 to Vogtle and Summer? 16 A. I would describe it as coordinating the 17 negotiations and heading up the drafting, responsible 18 for progressing the deal and bringing it to a timely 19 close. 20 Q. Do you recall what your first activity was 21 relative to that project? 22 A. Yeah. There was -- before we got to the 23 subcontracts, there was an initial construction 24 services agreement or something along that lines. 25 It was a limited services agreement that we</p>	<p style="text-align: right;">Page 24</p> <p>1 contracts as templates, sort of the starting point for 2 the contract with Fluor? 3 A. Probably. I'm -- I don't remember. 4 (Exhibit No. 1 marked 5 for identification.) 6 MS. BAUM: I hope we have enough copies. I 7 did not know, Dave, that you were going to be attending, 8 so... 9 MR. MURA: I'm sure we can share somehow. 10 (Discussion off the written record.) 11 (Exhibit No. 2 marked 12 for identification.) 13 MS. BAUM: So you all now have both 1 and 2. 14 BY MS. BAUM: 15 Q. Okay. And Ms. Grygier, the reporter has 16 handed you what's been marked as Exhibit 1. 17 A. Yes. 18 Q. Do you recognize that document? 19 A. It's an e-mail. I'm included in the 20 distribution. 21 Q. Okay. This e-mail, it appears to be an 22 e-mail sending out an invitation for a teleconference; 23 is that correct? 24 A. Uh-huh. It looks like it, yes. 25 Q. And the subject is "Blue Fin Subcontract."</p>
<p style="text-align: right;">Page 23</p> <p>1 entered into with Fluor that the next step was that 2 basically formed the basis for the subcontract. And I 3 believe that initial services agreement was to allow 4 Fluor to undertake some initial review and get some 5 idea of the status of the projects. 6 Q. And it's your recollection now that that 7 document formed the basis for the subcontracts? 8 MS. BACH: Object to form. 9 MS. HEINDEL: Join. 10 THE WITNESS: I believe so, yes. 11 BY MS. BAUM: 12 Q. Okay. Do you recall looking -- do you 13 recall being familiar with the EPC contracts? Do you 14 know what I mean by "the EPC contracts"? 15 A. Yes, I do. 16 Q. And do you recall whether you used the EPC 17 contracts when you prepared your first draft of the 18 subcontract with Fluor? 19 A. They necessarily would have been reviewed. 20 Because to the extent there were any requirements 21 within the EPC that we were responsible to meet, that 22 we needed to flow down to Fluor to make sure we could 23 meet our compliance obligations, yes, they absolutely 24 would have been reviewed. 25 Q. And did you use some sections of the EPC</p>	<p style="text-align: right;">Page 25</p> <p>1 Does that refer to this project, the Fluor project? 2 A. Yeah. That was the name given to the 3 project, yes. 4 Q. And "Day one readiness telecom." 5 Do you recall participating in that 6 teleconference? 7 A. I don't, no. 8 Q. Would you look on the -- I think it's the 9 fourth page of Exhibit 1. There's an action log of 10 various pieces of the project and due dates for those. 11 Do you see that? 12 A. Uh-huh. 13 Q. Do you recall -- strike that. 14 Does this action log outline the various tasks 15 that different people at Westinghouse were supposed to 16 undertake relative to the Fluor project? 17 MS. HEINDEL: Object to form. 18 MS. BACH: Join. 19 THE WITNESS: Okay. That's what it purports 20 to do. 21 BY MS. BAUM: 22 Q. It says here that one of the things that 23 you were supposed to do is to finalize and issue draft 24 subcontracts to Fluor, part one draft terms without 25 exhibits --</p>